



PATENT

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Kenichi KITANO, et al.

Group Art Unit: 1713
Application No.: 10/501,023
Examiner: Roberto RABAGO
Filed: July 9, 2004
Docket No.: 35355/38
For: PROCESS FOR PRODUCING VINYL POLYMER, VINYL
POLYMER, AND CURABLE COMPOSITION

MAIL STOP AMENDMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated November 29, 2006, applicants elect without traverse Group I, claims 1-21. Applicants note that the election without traverse does not serve as applicants' acquiescence with the Examiner's assertion made in the Restriction Requirement that Groups I-III lack the same or corresponding special technical feature on the ground that the dehalogenation of vinyl polymers is not a contribution over the prior art. Applicants maintain that the claimed invention is a contribution over the prior art.

In response to the Election of Species Requirement, applicants provisionally elect with traverse poly(n-butyl acrylate) as the species of the vinyl polymer, and promoting an intramolecular cyclization reaction of the vinyl polymer containing the halogen produced by the atom transfer radical polymerization of the vinyl monomer as the species of the dehalogenation step. Claims 1-21 are readable on the elected species. Applicants request withdrawal of the Election of Species Requirement because Election of Species Requirements are not applicable to U.S. national phase applications of international patent applications. Election of Species Requirements are discussed in MPEP's Chapter 800, which applies to only applications filed under 35

U.S.C. 111. However, the present application was filed under 35 U.S.C. 371, not 35 U.S.C. 111. The unity of invention regulations of PCT applications are silent on any election of species requirement. As a result, all the species within claims 1-21 of Group I should be searched and examined.

In the event that the filing of this paper is deemed not timely, applicants petition for an appropriate extension of time. The petition fee and any fees that may be required as related to the filing of this paper can be charged to Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

Date: December 28, 2006

By: King L. Wong
King L. Wong
Registration No. 37,500

Kenyon & Kenyon LLP
1500 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 220-4200
Facsimile: (202) 220-4201